IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Bail Appl..No. 1973 of 2007()

CMP.1356/2007 of J.M.F.C.,KUNNAMANGALAM

Crime No.334/06 of Medical College Police Station, Kozhikode

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: PETITIONER/12TH ACCUSED

SAIDALAVI, S/O.HASSAN MOLLA,
AGED 45 YEARS, MOLAYIL HOUSE,
THEKKETHODI ELIYA PARAMBA,
KAVANNUR P.O., MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.JAYARAJ NAMBIAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA(REPRESENTED BY THE
ASSISTANT COMMISSIONER OF POLICE, CRIME DETACHMENT
KOZHIKODE - CRIME NO.334/06 OF MEDICAL COLLEGE
POLICE STATION, KOZHIKODE) REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY DGP SRI.P.G.THAMPI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/04/2007 ALONG WITH BA.1975/07, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. Nos.1973 and 1975 OF 2007 B

Dated this the 2nd day of April, 2007

O R D E R

The common petitioner in these applications for regular bail is the 12th accused and sole accused respectively in Crime No.334/06 of Medical College Police Station, Kozhikode for offences punishable under sections 7 and 14 of the Foreigners Act, section 7 read with section 13(1)(a) of the Prevention of Corruption Act, section 12(b) of the Indian Passport Act and sections 465468, 471, 120(b), 121, 121A read with section 34 IPC and Crime No.86/2007 of Manjeri Police Station for offences punishable under sections 465, 468, 471 and 484 IPC.

2. Sri.P.G.Thampi, Director General of Prosecution, opposed these applications.

3. The petitioner was arrested on 22.2.2007 in Crime No.86/07 of Manjeri Police Station referred to above. His arrest in the other crime was formally recorded on 17.3.2007 when he was produced before the court. His police custody was also given in crime No.334/06.

4. The police had stumbled upon the petitioner in connection with Crime No.86/07 and had seized 127 forged SSLC books, 157 forged driving licences, 90 rubber stamps of various departments, etc. The petitioner is the person, who had facilitated the absconding of

accused Nos.2 and 3 in Crime No.334/06 for obtaining a passport to the first accused namely, Fahad, who is a Pakistan national, who was trying to establish roots on the Indian soil. The said Pakistan National was arrested from Mysore by the Karnataka police after an encounter.

5. The investigation of the cases is still in the preliminary stage and the complicity of the petitioner in other crimes is yet to be unearthed by the police. Under these circumstances, if the petitioner is released on bail, he will influence and intimidate the prosecution witnesses and that may hamper the smooth investigation of the case. I am not inclined to grant bail to the petitioner.

These petitions are accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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